

Remarks

The Office Action mailed September 03, 2008, has been carefully considered. Independent apparatus Claims 1; 53; 77; and independent method Claims 151; 152; and 153 have been amended to further clarify that the present inventions include a novel dynamic inbox for providing a list of invoicers that is customer selectable for display in the dynamic inbox. Thus, apparatus Claims 1-52; 53-76; and 77-150; and corresponding method Claims 151; 152; and 153 remain in the case with none of the claims having been allowed. The amended elements can be found as original in paragraphs [0070], [0075], [0082], [0087], [0089], [0091] and [0094] of the present application. Therefore no new matter is added by this amendment.

The Office Action rejected Claims 1-153 as being unpatentable under 35 U.S.C. 103 by U.S. Patent No. 6,826,542 to Virgin *et al.* ("Virgin") in view of U.S. Patent No. 6,493,685 to Ensel ("Ensel"). Reconsideration and allowance is respectfully requested in view of the following remarks.

U.S. Patent No. 6,826,542 to Virgin *et al.* is a central invoicing system. Customers (payors) and invoicers can use the central invoicing system by connecting to it by a network, such as the Internet, and using an interaction device, such as a personal computer with web browsing software. Customers can create, on the central invoicing system, a list of invoicers from whom they wish to receive invoices. The system sends invitations, including a user name and password, to the selected invoicers to enroll with the central invoicing system. The system provides invoicers with a facility to enroll with the central invoicing system over the Internet. Customers can also customize the format of the invoices they are to receive from the selected invoicers.

The central invoicing system of Virgin stores each customer's particular invoicing format on a server. The system allows an invoicer to connect to the system through the Internet to create invoices. The invoicer can then submit that invoice to the customer through the system. The system formats the invoice according to the customer's desired invoice format and transmits the invoice to the customer's financial system. Once notified, the customer may access the central invoicing system to view, process, and approve the invoice. If the customer approves the invoice, the invoice is transmitted to the customer's financial system. However, the invoicing

system of Virgin does not include a dynamic inbox that allows a customer a choice of which invoicers to display in the customer's dynamic inbox.

The present inventions are directed to a simple, straight forward system and method of automated electronic invoicing and payment that directly involves the invoicer and the customer by allowing customers to go to a single portal or bank site, review a summary of all of their bills at that single portal or bank site, and then go to directly each invoicers' websites or entities acting on behalf of said invoicers. In contrast to prior art methods and products included the cited references, the present inventions provides a dynamic inbox that conveniently allows a customer to choose which invoicers are displayed in a dynamic inbox.

As set forth in each of the independent claims, as amended, the present inventions include a dynamic inbox for providing a list of invoicers that is selectable for display in the dynamic inbox by at least one customer. Neither Virgin nor Ensel provide a dynamic inbox or its equivalent. Thus, it is respectfully submitted that the claims, as amended, are patentable over the cited references and consistent with recent holdings by the Supreme Court.

The Present Inventions are Not Obvious Over The Cited References

MPEP Section 2143 points out the KSR Guidelines to be considered in a Section 103 rejection. Those guidelines have not been met as to the pending claims.

(A) Combining prior art elements according to known methods to yield predictable results;

There are no cited prior art elements to combine that would yield predictable results. The changes required by the amended claims define elements that offer no benefit to the cited references.

(B) Simple substitution of one known element for another to obtain predictable results;

There are no elements being substituted. The distinctions relate to a different element, namely that a dynamic inbox for providing a list of invoicers that is selectable for display in the dynamic inbox by a customer using a remote customer interface for accessing a consolidated invoicer interface. The present inventions' dynamic inbox is not relevant to the purposes of the cited references.

(C) Use of known technique to improve similar devices (methods, or products) in the same way;

The defined limitations would not improve the methods and products of the cited references and, in fact, would serve no useful purpose in the cited references.

(D) Applying a known technique to a known device (method, or product) ready for improvement to yield predictable results;

There are no predictable results in applying the present inventions' features, wherein a remote customer interface includes a dynamic inbox for providing a list of invoicers that is selectable for display in the dynamic inbox by an authorized customer.

(E) "Obvious to try" - choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success;

There is no basis for making it "obvious to try" including a dynamic inbox for providing a list of invoicers that is selectable for display in the dynamic inbox by at least one customer, since this feature is not relevant to the purpose of the cited references. There are not a finite number of identified, predictable solutions relevant to the present inventions.

(F) Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations are predictable to one of ordinary skill in the art;

There is no known work cited by the Examiner that would prompt variations based on design incentives or other market forces. The variations are not predictable.

(G) Some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed inventions.

The lack of any teaching, suggestion, or motivation in the prior art is discussed in detail above. Simply put, the disclosures of the cited references do not include a dynamic inbox for providing a list of invoicers that is selectable for display in the dynamic inbox by a customer and such a dynamic inbox would serve no purpose in the methods and products of the cited references.

The Applicant submits that by this response, he has placed the case in condition for immediate allowance and such action is respectfully requested. However, if any issue remains unresolved, Applicant's attorney would welcome the opportunity for a telephone interview to expedite allowance and issue.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "E. W. Rilee".

Edward W. Rilee
Reg. No. 31,869
MacCord Mason PLLC
P.O. Box 2974
Greensboro, NC 27402
(336) 273-4422

Date: December 3, 2008

File No.: 4156-006